

The Limits of Women's Quotas in Brazil

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Abstract In this article, I examine the case of Brazil which, unlike many other Latin American countries, is an example of where quotas are not working. Drawing on over ten years of research and exploring the dynamics of a varied group of political parties, I contest that male resistance is not the only reason behind this failure. Vagueness around the quota law and a lack of sanctions, together with the elitist nature of politics in Brazil are all contributing factors. My research has also revealed a few anomalies, showing that contrary to much of the literature, women would seem to fare better in elections within less developed and smaller states in Brazil. In conclusion, I propose that in order to move forward and get quotas, working reform measures are needed to strengthen the law, but in addition, women's access to financial support for campaigning needs to be fully understood.

1 Introduction

This article examines why the quota system in Brazil does not work. Drawing on qualitative research conducted over a period of more than ten years, it explores the extent to which the quota increased the number of female candidates for political office and whether there was a corresponding increase in those elected, and the impact of the quota in terms of the dynamics of the parties and in the perception of its leaders and members. In conducting this research, I have sought to understand the experience of both female and male party leaders, leaders of organisations, members of political parties, Federal and State Deputies and elected and non-elected candidates, as well as trying to discover the process beyond the quota system itself.

In looking at the Brazilian political structure and its interaction with quotas, I start from the basic premise, which I believe is almost consensual here, of the inefficiency of our political system up until now. Brazil is a federative, presidential republic, with a bicameral parliamentary representative system – Senate and Lower Chamber – the formation of which is based on a system of proportional representation (PR) in each state.¹ The voting system is based on an open party list and the size of the districts varies from a minimum of eight to a maximum of 70

representatives. I have analysed the following six political parties since 1996 and this data forms the basis of the article: Partido da Social Democracia Brasileira (PSDB), Partido Democratas (DEM), previously known as PFL, Partido dos Trabalhadores (PT), Partido Democrático Trabalhista (PDT), Partido do Movimento Democrático Brasileiro (PMDB) and Partido Popular (PP), previously known as PPB.²

2 Quotas that stop working beyond a certain point

In contrast to many other countries, the quota system in Brazil does not work. Its first use saw some increase in female candidates, but after a while, its inefficiency became evident. Initially the quota level was set at 20 per cent and was only applied to the Câmara de Vereadores (municipal government) elections; in 1998, it increased to 25 per cent and was extended to the national Legislative Assembly and the Câmara de Deputados (Chamber of Deputies); and in 2000, it increased again to 30 per cent for each level of legislative competition, with the exception of the Senate (Araújo 2003).

Contrary to the views of many others, I believe that the failure of the quota system in Brazil is not only due to male resistance. Male resistance is mediated by aspects of political pragmatism,

Table 1 Percentage of women candidates elected to Câmaras de Vereadores from 1996 to 2004

	2004		2000		1996	
	Female candidates (%)	Elected female candidates (%)	Female candidates (%)	Elected female candidates (%)	Female candidates (%)	Elected female candidates (%)
Northern Region	22.49	14.6	20.57	13.88	14.72	15.53
North-Eastern Region	21.73	14.63	18.55	13.09	12.1	12.96
Central-Eastern Region	22.34	13.48	19.78	12.93	16.69	13.27
South-Eastern Region	22.72	10.7	19.46	10.09	9.48	8.72
Southern Region	21.08	11.43	18.26	10.29	8.72	10.04
Total Brazil	20.63	12.6	19.40	11.6	10.87	11.1

Source Data from *Tribunal Superior Eleitoral – Brazil (TSE)* (Superior Electoral Court).

which involves women as well as men when they find themselves in the dynamics of electoral politics and are called upon to decide which strategies will result in success for their parties.

The quota law in Brazil defines, as a minimum, 30 per cent per sex of the total number of candidates on electoral lists. However, the law also states that the lists for each party can be up to 150 per cent in relation to the number of seats available for each state. Hence, the quota is calculated on this total of 150 per cent and not on the actual number of candidates for each party. So an important fact to consider is that the quota is calculated not on the actual list of candidates, but on the potential list. Parties have to leave 30 per cent of the seats vacant for women and these seats cannot be filled by men. But they are rarely if ever filled.

One of the conclusions, reached through an examination of experiences of quota systems in Latin America, is that sanctions are fundamental for them to work well. Sanctions refer to the aspects of quota law that oblige parties to fulfil the percentage and the established formats. Non-fulfilment should incur some sort of punishment. In the majority of Latin American countries, including Peru, Paraguay, Argentina, Costa Rica and Bolivia, if the party does not fulfil the requirements, they cannot participate in elections. In countries where there is no obligation attached to the law, the quota system does not work (Araújo and García 2006). Brazil is

one such country. In the last three federal elections in Brazil, not one single party filled their lists of 150 per cent of candidates (Nicolau 2006). If the law continues to be interpreted as a minimum of 30 per cent out of the potential total of 150 per cent, the quota is not going to be fulfilled, as the parties do not have that many candidates. It needs to focus instead on effective female candidates.

3 The less developed the region, the better the chance of women getting elected

Where, then, are women succeeding in getting elected to public office in Brazil? And how has this come about? In this section, I present some data on the Câmaras de Vereadores (municipal government Chambers of Councillors), which demonstrates that women are more likely to get elected in the less developed regions of Brazil.

Table 1 shows the initial impact on the electoral sphere for the Chamber of Councillors when the quota law was introduced in 1998, but from 2000 onwards, we can see that the increase has been marginal. For the most recent 2008 elections, the total percentage of women elected remained about the same at 12.5 per cent. If we look at the different regions, we can see a pattern: the Northern and Central-Eastern regions tend to present more favourable results than the more developed regions of the country.

The Legislative Assemblies and the Chamber of Deputies tend to follow the same pattern of

Table 2 States with more or less elected female candidates 1994 and 2006

State	1994		State	1998	
	Female candidates (%)	Elected female candidates (%)		Female candidates (%)	Elected female candidates (%)
Roraima (+)	14.29	16.65 (3 ^o)	Roraima (+)	20	16.67 (7 ^o)
Rio de Janeiro (+)	9.54	18.57 (2 ^o)	Tocantins (+)	18.84	8.33 (17 ^o)
Rondônia (+)	9.54	20.83 (1 ^o)	Distrito Federal (+)	18.24	16.67 (5 ^o)
Distrito Federal (+)	9.22	8.33 (10 ^o)	Rondônia (+)	17.31	8.33 (16 ^o)
Santa Catarina (-)	2.31	2.50 (23 ^o)	Espírito Santo (-)	7.72	3.33 (25 ^o)
Espírito Santo (-)	3.81	6.67 (16 ^o)	Mato Grosso (-)	8.57	4.17 (23 ^o)
Amazonas (-)	4.29	4.17 (19 ^o)	R.G. Norte (-)	9.9	16.67 (6 ^o)
Mato Grosso (-)	4.41	8.33 (11 ^o)	Santa Catarina (-)	10	6.00 (22 ^o)
Brazil	7.18	7.85	Brazil	12.94	10.01

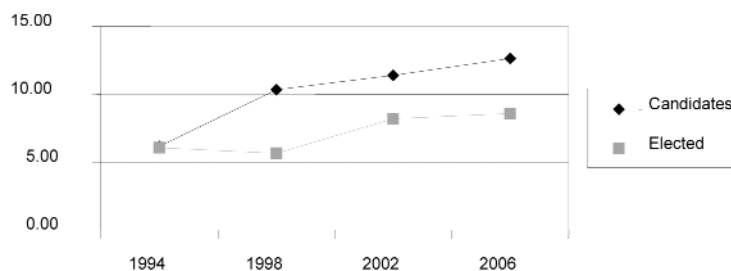
State	2002		State	2006	
	Female candidates (%)	Elected female candidates (%)		Female candidates (%)	Elected female candidates (%)
Tocantins (+)	22.3	8.33 (19 ^o)	Distrito Federal (+)	20.81	12.5 (11 ^o)
Roraima (+)	22.13	12.50 (14 ^o)	Tocantins (+)	17.56	12.5 (13 ^o)
Amazonas (+)	19.14	4.17 (24 ^o)	Amapá (+)	17.37	12.5 (9 ^o)
Distrito Federal (+)	19.02	20.83 (3 ^o)	Rio de Janeiro(+)	17.26	14.29 (7 ^o)
Piauí (-)	8.08	6.67 (22 ^o)	Mato Grosso (-)	6.95	4.17 (24 ^o)
R.G. do Sul (-)	9.07	3.64 (27 ^o)	Goiás (-)	8.88	17.07 (3 ^o)
Goiás (-)	10.16	17.07 (7 ^o)	Paraíba (-)	9.05	11.11 (16 ^o)
Mato Grosso (-)	10.93	4.17 (25 ^o)	R.G. do Norte (-)	9.88	16.67(5 ^o)
Brazil	14.84	12.56	Brazil	14.12	11.61

Source: Author with data from TSE. (Note: figures in brackets represent rank order in terms of proportion of women elected, where 1^o is the top place and 27^o the bottom).

achieving higher numbers for women in the less developed regions. This again underlines the importance of moving away from only focusing on arguments around ‘male resistance’ and ‘prejudice and discrimination’, because, contrary to the relationship between variables such as literacy, income and Human Development Index (HDI) and equality between sexes, discussed in much of the literature, the Brazilian data suggests an inversion. In many of the less developed states, with lower literacy rates, there is more support for the traditional parties and less for new or smaller parties; and in the states

where fewer women work, there appears to be a greater chance of women being elected. Alves and colleagues’ (2005) study on the municipalities in Brazil shows this same pattern. The ten municipalities that elected the most women were situated predominantly in the North and North-Eastern regions and in general, were less developed. This appears to demonstrate that women statistically get better results in states and municipalities defined by certain variables as ‘less developed’, and the political parties that have the highest number of women elected are the bigger and more

Figure 1 Evolution of the percentages of female candidates and elected female candidates



Source: Author with data from TSE.

traditional ones. The smaller parties, both on the left and right, are generally more open to the participation of women as candidates, but proportionally, it is not where they do best.

4 More women candidates does not mean more women winning

As we have seen from the previous section, the number of female candidates increased rapidly, especially in 1998, the first year the quota system was adopted, but after this, women did not really manage to increase their presence in elections. In the 2006 federal elections, there was even a reduction in the percentage of female candidates. The next Federal election will be held in October 2010, and it will be interesting to see the outcome in terms of any change in the percentages of female candidates contesting the election or winning seats.

Elections to State Legislative Assemblies also take place every four years, with the next election due this year. Table 2 shows the States with the largest and smallest numbers of female candidates and the respective number of those elected from 1994 to 2006 to State Legislative Assemblies. If we take 2006, for example, the data shows it was not necessarily the states with the highest number of female candidates that elected the most women and vice versa, so there does not appear to be a direct relationship between the increase of women candidates and the possibility of their being elected.

Similarly for the Chamber of Deputies at the Federal level, Figure 1 shows the change in numbers of women candidates and those elected between 1994 and 2006. In 1994, the percentage of candidates and those successfully elected were on a par. In 1998, there was a substantive increase of close to 50 per cent in terms of

candidates. It was not ideal, but it was good progress. At the same time, the numbers of those elected lowered. In 2002, both categories increased. This was however, more likely due to other circumstances at that time, such as the Workers' Party leader Luiz Inácio Lula da Silva being elected President, and an increase in the number of seats for the Left having an impact on the profile of who was elected, than actually down to the quota system itself.

It is important to note that the percentages seem to reach a plateau, beyond which they stabilise in terms of the number of candidates. In 2006, the number of female candidates and females elected remained around the same as they had in 2002. My analysis of the statistical regression in terms of women candidates compared with women elected suggests that there is a concentration of potential for election at the level of 10–15 per cent of female candidates; following this, there is what I call the 'ceiling of competition', i.e. an increase in female candidates does not result in an increase in those elected.

Initially, there was a very positive impact for some of the parties, e.g. the PFL/DEM, PSDB and PMDB; but for the PDT and PT who have more of a tradition of women's organisation, the impact was not so significant. For these parties, we can also see that the variations in the number of women elected do not correspond to the variations in the number of candidates. In other words, there are many other factors that we need to consider.

In Table 3, we can see that the parties that fielded the largest number of female candidates are the smallest parties. However, the only one of them that achieved an excellent proportional result was the Partido Comunista do Brasil (i.e.

Table 3 Parties who launched and elected female candidates 1994–2006

Party	1994		Parties	1998	
	Female candidates (%)	Elected female candidates (%)		Female candidates (%)	Elected female candidates (%)
PRONA (+)	25.58	0	PCB (+)	40	0
PSTU (+)	22.73	0	PCO (+)	25	0
PC do B (+)	18.18	20(2°)	PC do B (+)	22.5	28.57 (1°)
PCB (–)	0	0	PGT (–)	0	0
PRTB (–)	0	0	PAN (–)	0	0
PTB (–)	1.55	0	PPS (–)	4.96	0
Note: 21 parties did not elect any.			Note: 23 parties did not elect any.		
Parties	2002		Parties	2006	
	Female candidates (%)	Elected female candidates (%)		Female candidates (%)	Elected female candidates (%)
PCB (+)	28.57	0	PC do B (+)	23.61	38.46 (2°)
PC do B (+)	21.57	33.33 (1°)	PRONA (+)	19.85	50.0 (1°)
PSTU (+)	17.78	0	PCB (+)	18.75	0
PSN/PHS (–)	4.94	0	PSL (–)	4.04	0
PPB (–)	5.45	2.04(11°)	PRP (–)	7.14	0
PTN (–)	6.12	0	PRB (–)	9.52	0
Note: 19 parties did not elect any.		Note: 16 parties did not elect any.			

Source Author with data from TSE.

the PC do B). After the PC do B, the party with the best results was the Partido da Reedificação da Ordem Nacional (PRONA). We can conclude that it is not necessarily the parties that put up the most female candidates that will have a correspondingly higher number of females elected. However, it is also important to note that the big Parties are often in the middle in terms of percentage of female candidates, but the women who run for them have a much greater chance of being elected (Araújo and Alves 2007).

5 Smaller districts mean better results for women

The data from the States, when analysed by size, are also revealing. In Brazil, a district is the same as a geographical State. Although there is some variation, in general, the large districts are classified as those having 30 seats or more in the Chamber; medium-sized districts between 11

and 29 seats; and small districts, ten seats or less (the minimum is eight Deputies per state) (Soares and Rennó 2006). However, the Brazilian case goes *against* the dominant literature. The majority of studies which look at electoral districts indicate that the bigger the district or larger the number of seats available, the better the performance of women. But in Brazil, women have obtained better results in the smaller districts. From Table 4 we can see that this relationship was less significant in 1994, but then became clearer in 1998, 2002 and 2006.

The success rate measures the proportion of female candidates and those elected compared with the proportion of male candidates and those elected, multiplied by 100. In Table 4 we can see that every number over 100 means that women were more successful than men and vice versa. In general, women get worse results, but even so,

Table 4 Success rate of electoral districts according to size

Districts	1994	1998	2002	2006
Large	106.84	49.93	74.23	60.38
Medium	64.84	39.07	47.8	46.39
Small	117.41	68.05	86.41	98.29
Total	98.35	52.01	69.32	65.14

Source: Author with data from TSE.

the rates are better in the smaller districts. The smaller states have 22.8 per cent of the seats in parliament, with 15 per cent of these being taken by women, they also have 15 per cent of the electorate. The larger states (those with more than 30 Deputies) have 46.6 per cent of the seats, but only 6.7 per cent are occupied by women. These states make up 65 per cent of the electorate.

When we look at the ranking of the states in Table 5, we observe that the State of Sergipe fielded the largest number of female candidates for the Chamber of Deputies in 2006, equating to 24.5 per cent of the total number of candidates put forward. However, not one woman was elected there. There were 12 female candidates fielded by 11 parties and out of the 11, only two were medium-sized or big parties (the PT and the PDT), which provide a better chance of getting elected. Among the four states with the highest percentages of female candidates, only one was also among those with the largest percentage of women elected (i.e. Acre).

The conclusion we can draw is that there does not appear to be a direct relationship between the percentage of female candidates fielded and their probability of winning the elections.

In looking at electoral density (the number of candidates per available seats), there appears to be a great deal of variation. The southern cities of Rio de Janeiro and São Paulo, the most populous city in Brazil, had the highest densities of candidates in the 2006 Federal elections, yet while Rio de Janeiro did reasonably well in terms of the proportion of women elected, the results for São Paulo were very poor. In other words, the total amount of candidates in any one district does not necessarily either facilitate or impede women's election.

6 Some final observations

The initial impact of the quotas was reproduced, but not multiplied. The lack of candidates to run for election is the same for all the parties analysed and is true for both women and men. For the majority of the women I interviewed, it became clear that their trajectories were independent of the existence of the quota law and they created their own path.

Re-election is another important issue to reflect on. In the most recent election, 47 per cent or 243 Deputies were re-elected from the previous term, and 200 of these occupy legislative or judicial political positions. Only 43 Deputies were completely new to politics and they divide within the following categories: communicators, bishops or evangelical pastors and relatives of other politicians. Politics still has very elitist overtones. In the case of the religious group, evangelical pastors have been increasing their political candidature, but the majority of churches still do not accept women as leaders, i.e. bishops or pastors. They are the most common type of candidate. So we have to ask ourselves where can women create their political trajectories?

Both the male and female party leaders I interviewed identified less of an adherence among both women and men to party ideology. There seems to be a lack of trust in politics and this is something that prevails on the Left, Right, and Centre. The crisis in participation within movements and political associations, one of the paths through which one enters institutional politics, will impact on the construction of political capital and trajectories for women.

Has the quota system changed the electoral engineering and who is chosen for candidature? From the over 100 interviews I conducted, the criteria for being on the 'real' list, without being

Table 5 Percentage of female candidates and females elected by state – 2006

State	Female candidates (%)	Female candidates elected (%)
Acre	15.7	12.5
Alagoas	11.8	0
Amapá	14.7	50
Amazonas	12.7	25
Bahia	7.3	10.26
Ceará	8.2	4.55
Distrito Federal	14.9	0
Espírito Santo	20.2	40
Goiás	6.8	11.8
Maranhão	11.4	5.6
Mato Grosso	17.7	25
Mato Grosso do Sul	21.6	0
Minas Gerais	10.2	5.7
Pará	15.7	11.8
Paraíba	6.7	11.8
Paraná	9.8	0
Pernambuco	11.8	4
Piauí	4.8	0
Rio de Janeiro	13.6	13.4
R.G. do Sul	11.4	9.7
R.G. do Norte	11.3	25
Rondônia	16.4	12.5
Roraima	15.7	25
Santa Catarina	10.5	6.3
São Paulo	14.4	4.3
Sergipe	24.5	0
Tocantins	22.2	12.5

just ‘oranges’ are: electoral representation, political capital, political trajectory or partisan political trajectory acknowledging some sort of electoral visibility, regions of the state so that there are enough votes to form coalitions, electoral alliances, local and or regional, and finally there are always vacancies for those who believe that for some reason or other they could be elected.

Candidates who were elected, in general, did not report any difficulty in being accepted by their

party. However, with the exception of free television time, there is no official money for election campaigns, the funds are collected by the parties and distributed according to priorities, and costs are very high. This is an obstacle within Brazilian politics, as women especially have fewer resources and less access to finance than men.

There are two possible scenarios for moving forward. The first is to maintain the current legislation of open lists, with the possibility of

introducing some reform measures such as sanctions and setting the quota rate on the number of actual candidates, not the potential number. The second is to change the electoral system so that party lists are closed and, in which case, the rotation of seats (between men and women) becomes essential. Without rotation, women tend to stay at the bottom of the list.

Notes

- 1 For information on the general characteristics of the Brazilian political and electoral system, see Araújo (2003 and 2006).

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Irrespective of which scenario to opt for, the issue of addressing public financing of campaigns has to be confronted in order to remove the inequities it has generated. Closely associated with that is the need to better understand the processes and dynamics of women candidates' access to campaign finances within the parties.

- 2 These were the main political parties in Brazil in 1996.